

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JUL 24 2025

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

MICHAEL KAIL,

Defendant-Appellant.

No. 21-10376

D.C. No.
5:18-cr-00172-BLF-1

Northern District of California,
San Jose

ORDER

Before: BOGGS,* FRIEDLAND, and BRESS, Circuit Judges.

The panel has unanimously voted to deny Appellant's petition for panel rehearing. Judge Friedland and Judge Bress have voted to deny the petition for rehearing en banc, and Judge Boggs so recommends. The full court has been advised of the petition for rehearing en banc, and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 40.

The petitions for panel rehearing and rehearing en banc are **DENIED**.

* The Honorable Danny J. Boggs, United States Circuit Judge for the U.S. Court of Appeals for the Sixth Circuit, sitting by designation.